

REMARKS

In accordance with the foregoing, claims 1 and 5 have been amended. Claims 1-5 are pending in the application.

Using independent claim 1 as an example, this claim recites "the maximum-fuel-injection-quantity restricting means restricting the maximum fuel injection quantity either during or not during the regenerating-mode operation."

Ludecke teaches a particulate trap 22 having a filter element 24 through which exhaust gas is passed. Ludecke, col. 3, ln. 5-7. Particulates are periodically removed from the trap 22 by incineration. Ludecke, col. 3, ln. 26-27. This incineration must be frequent enough that collected particulates do not excessively restrict gas flow, thus, the burn cycle occurs at every 150,000 engine revolutions. Ludecke, col. 4, ln. 9-11 and 24-30. During the periodic burn off, one of the throttles is closed and the injectors on the associated bank are shut off. Ludecke, col. 6, ln. 6-9.

Thus, this reference limits the time during which the throttles are shut off. Specifically, shut-off occurs during the burn off, therefore, the burn off is the triggering factor for throttle shut-off. However, this reference does not disclose that the time for beginning the restriction of fuel injection quantity can occur during, or outside the period of regeneration, as claimed.

Ludecke further discloses that if desired, any of the engine embodiments may be controlled whereby certain of the injectors are shut off. Ludecke, col. 6, ln. 20-24. This portion indicates that other embodiments of Ludecke (those of FIGS. 1-2 and 3a-3b) may also close cylinders to achieve the burn off. However, this portion does not disclose that the closing of the cylinders can occur when the burn off is not in progress.

Furthermore, claim 2 recites fuel restriction indicating means for indicating restriction of the maximum fuel injection quantity of the internal combustion engine when or while the maximum-fuel-injection-quantity restricting means restricts the maximum fuel injection quantity.

In contrast, Ludecke teaches that the intake throttling is carried out so that the exhaust gas temperature is not high enough to cause combustion in the filter.

The remaining references do not overcome these deficiencies. Accordingly, withdrawal of the rejections is requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

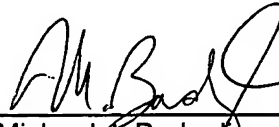
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 3-3-05

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